

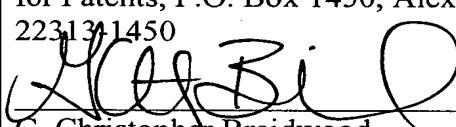


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2636

PATENT
Attorney Docket No.: 06005/37172

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):)	CERTIFICATE OF MAILING
Robert B. Havekost)	I hereby certify that this paper and the documents referred to as enclosed therewith are being deposited with the United States Postal Service as first class mail, postage prepaid, on November 1, 2005 in an envelope addressed to MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
Serial No.: 09/838,494)	
Title: Enhanced Device Alarms in a Process Control System)	G. Christopher Braidwood
Filed: April 19, 2001)	Registration No.: 41,631
Group Art Unit: 2636)	
Examiner: Brent Swarthout)	

RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is timely filed in response to the Office Action dated August 1, 2005. Claims 1-8, 10-26, and 28-38 are pending and remain at issue.

Claims 1-8, 10-26, and 28-38 have been rejected for obviousness-type double patenting over claims 1-62 of Havekost U.S. Patent No. 6,774,786 in view of one or more of Sandelman et al. U.S. Patent No. 6,717,513, Brown et al. U.S. Patent No. 6,192,281, and Yamada U.S. Patent No. 5,521,842. Reconsideration is requested.

The double patenting rejections should be withdrawn because they have been rendered moot by a terminal disclaimer relative to U.S. Patent No. 6,774,786 filed concurrently herewith. The filing of a terminal disclaimer should not be construed as acknowledging the substance of the assertions set forth in the Action, but rather constitutes a procedural response directed to expediting the allowance of the pending claims.

It is submitted that the application is in condition for allowance. Should the examiner wish to discuss the foregoing, or any matter of form or procedure in an effort to advance this application to allowance, he is urged to contact the undersigned attorney at the indicated telephone number.

Respectfully submitted,



G. Christopher Braidwood
Reg. No. 41,631
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Dr.
6300 Sears Tower
Chicago, Illinois 60606
(312) 474-6300

November 1, 2005